

PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. A01014
CMJ/sd

In re application of :
John Michael Friel : Group Art Unit: 3627
Serial No.: 09/766,435 : Examiner: Lynda C. Jasmin
Confirmation No.: 7158 :
Filed: 1/19/01 :
For: DISTRIBUTED PAINT :
MANUFACTURING SYSTEM :
X

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER
TO OBVIATE DOUBLE PATENTING REJECTION
(37 C.F.R. §1.321)

Sir:

I, Chipo M. Jolibois, am authorized to sign on behalf of Rohm and Haas Company, a corporation organized under the laws of the State of Delaware, the assignee of the entire interest in the United States Patent Application of Serial No. 09/766,435, which was filed January 19, 2001. Rohm and Haas Company hereby disclaims all that portion of the term of any patent to be issued on Application No. 09/766,435 subsequent to the expiration of United States Patent No. 6,531,537, and hereby agrees that any patent to be issued on Application No. 09/766,435 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,531,537, this agreement

to run with any patent granted on Application No. 09/766,435, and to be binding upon the grantees of said patent and their successors or assigns.

In making the above disclaimer, Rohm and Haas Company does not disclaim the terminal part of any patent granted on Application No. 09/766,435 prior to the expiration date of the full statutory term of United States Patent No. 6,531,537, in the event that United States Patent No. 6,531,537 later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Application No. 09/766,435 and United States Patent No. 6,531,537 are assigned to a common entity, the Rohm and Haas Company. The assignment of United States Patent No. 6,531,537 (issued from Application No. 09/785,152) is found at reel/frame 013896/0984 date of recordation: March 31, 2003. The assignment of the present Application No. 09/766,435 is attached hereto.

As an authorized representative of the assignee empowered to sign on behalf of the assignee, I have reviewed the evidentiary documents referred to above and certify that, to the best of my knowledge and belief, title is Rohm and Haas', as assignee, who seeks to take this action of terminal disclaimer. I hereby declare and say that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issued thereon.

Please charge the requisite fee of \$110.00 for submission of this Terminal Disclaimer (pursuant to 37 C.F.R. § 1.20(d)) to Deposit Account No. 18-1850. A duplicate of this Terminal Disclaimer is attached for this purpose. Please charge

any additional fees due, or credit any overpayments, to Deposit Account No. 18-1850.

Respectfully submitted,

ROHM AND HAAS COMPANY

Chipo M. Jolibois

Chipo M. Jolibois
Registration No. 54,201

Rohm and Haas Company
100 Independence Mall West
Philadelphia, PA 19106-2399
April 29, 2004

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CM Jolibois

Chipo M. Jolibois

Registration No. 54,201

Rohm and Haas Company
100 Independence Mall West
Philadelphia, PA 19106-2399
April 29, 2004

Docket Number 006258/00003
A01014ASSIGNMENT

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101435
JWW

WHEREAS, JOHN MICHAEL FRIEL 341 Beech Street, Warminster, Pennsylvania 18974; JOHN WILLIAM HOOK, III of 410 Twin Streams Drive, Warminster, Pennsylvania 18974; JERRY WILLIAM WASHEL of 1320 Meyer Bend, Hatfield, Pennsylvania 18440; and BERNHARD HELMUT LIESER of 608 Kenilworth Avenue, Lansdale, Pennsylvania 19446 (hereafter Assignor(s)), invented certain new and useful improvements in **DISTRIBUTED PAINT MANUFACTURING SYSTEM**, (hereafter "INVENTION") for which on the date below Assignor executed an application for Letters Patent of the United States of America;

WHEREAS at the time the INVENTION was made, Assignor was under an obligation to assign all right, title and interest in Assignor's INVENTION to ROHM AND HAAS COMPANY, a Delaware corporation having its principal place of business at 100 Independence Mall West, Philadelphia, Pennsylvania, 19106-2399, which wants to formalize the assignment and its ownership of the entire interest in the INVENTION and in any and all applications for patent thereon and in any and all Letters Patent which may be granted thereon;

NOW, THEREFORE, for valuable consideration received by Assignor, receipt and sufficiency of which is hereby acknowledged, Assignor has assigned and by this Assignment does assign to ROHM AND HAAS COMPANY, for the United States of America, its territorial possession, and for all foreign countries, the entire right, title, and interest in and to the INVENTION including the right to apply for patents, or similar protection, including any continuations, divisional, renewal, substitute, reissue or improvement applications, and to claim International Convention priority, in all such foreign countries; Assignor further agrees without further consideration to testify in any proceedings, to execute all papers, execute all divisional, continuing, continuation-in-part, reissue and foreign applications, and make all rightful oaths and declaration relating to the INVENTION, requested by the ROHM AND HAAS COMPANY; and Assignor does hereby authorize and request the Commissioner of Patents and Trademarks of the United States of America and the corresponding official in any foreign country to issue any Letters Patent which may be granted in the United States or foreign country, respectively, to ROHM AND HAAS COMPANY for its sole use and benefit and for its successors and assigns, to the full end of the term or terms for which said Letters Patent may be granted.

Assignor authorizes and requests insertion herein of the Serial Number 09/766,435 and filing date 01/19/01 of said application when officially known.

Best Available Copy

IN TESTIMONY WHEREOF, Assignor intending to be legally bound has hereunto affixed its signature(s).

July 14, 2000
Date

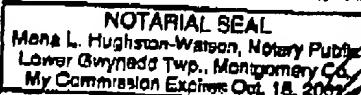
John Michael Friel
JOHN MICHAEL FRIEL

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF Montgomery :

John Michael Friel personally appeared before me and acknowledged to me that the execution of the foregoing instrument is an act of free will and deed of this 14th day of July, 2000.

[SEAL]

Mona L. Hughston-Watson
Notary Public



14 July 2000
Date

John William Hook, III

COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF Montgomery :

John William Hook, III personally appeared before me and acknowledged to me that the execution of the foregoing instrument is an act of free will and deed of this 14th day of July, 2000.

[SEAL]

Mona L. Hughston-Watson
Notary Public

